

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

Barbara Kraft

v.

Case No. 10-cv-164-PB

Larry Mayer, et al.

O R D E R

Defendants have moved to dismiss the complaint pursuant to Fed. R. Civ. P. 12(c). In reality, however, they argue that the complaint fails to state a claim for relief. Viewing the complaint in the light most favorable to the plaintiff, I determine that she has pleaded sufficient facts in support of her claims to state minimally sufficient claims for relief. Accordingly, I deny the motion (Doc. No. 9) without prejudice to the defendants' right to renew their arguments in a properly supported motion for summary judgment. If such a motion is filed, I reserve the right to make a *de novo* assessment of the issues raised in the current motion.

SO ORDERED.

/s/Paul Barbadoro  
Paul Barbadoro  
United States District Judge

September 6, 2011

cc: Paul McEachern, Esq.  
Martha Van Oot, Esq.